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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

4 Aug 09, 2023
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SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DONALD R. T.,¹

Plaintiff,

v.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

NO: 4:23-cv-05015-LRS

ORDER GRANTING STIPULATED
MOTION TO REMAND

BEFORE THE COURT is the parties' Stipulated Motion to Remand, ECF
No. 15. Based on the stipulation of the parties, the Court finds good cause to grant

¹ The court identifies a plaintiff in a social security case only by the first name and last initial in order to protect privacy. *See* LCivR 5.2(c).

1 the motion. Accordingly, pursuant to the stipulation, **IT IS HEREBY**

2 **ORDERED:**

3 1. Defendant's Stipulated Motion for Remand, **ECF No. 15** is **GRANTED**.

4 2. This case is **REVERSED** and **REMANDED** for further administrative
5 proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

6 3. On remand, the Appeals Council will remand the case to an Administrative
7 Law Judge in order to:

8 • Reevaluate the persuasiveness of all medical opinions and prior
9 administrative medical findings, including the assessments of Robert
10 Hander, M.D., and Christopher Snyder, D.O., under the supportability
11 and consistency factors of the applicable regulations;

12 • Continue the sequential evaluation, including reassessing Plaintiff's
13 residual functional capacity finding and, as necessary, obtaining
14 vocational expert evidence; and

15 • Offer Plaintiff the opportunity for a hearing, take further action to
16 complete the administrative record resolving the above issues, and issue a
17 new decision.

18 4. Upon proper presentation, this Court will consider Plaintiff's application
19 for costs, expenses, and reasonable attorney's fees under the Equal Access to
20 Justice Act, 28 U.S.C. § 2412(a), (d).

5. Plaintiff's Opening Brief, ECF No. 7, and the hearing and remaining briefing schedule are **VACATED** as moot.

IT IS SO ORDERED. The District Court Clerk is directed to enter this Order and provide copies to counsel. Judgment shall be entered for Plaintiff and the file shall be **CLOSED**.

DATED August 9, 2023.



LONNY R. SUKO
Senior United States District Judge